

AGREEMENT

between

the Government of the United States of America

and

the Government of the Czech Republic

concerning

**Support Provided by
the United States Department of Defense**

to

**the Armed Forces of the Czech Republic
during Timeframe of the NATO Summit**

Preamble

The Government of the United States of America and the Government of the Czech Republic, hereinafter referred to as "the Parties",

Desiring to intensify bilateral cooperation in the field of defense as well as mutual cooperation within the NATO,

Recognizing that the support provided by the Armed Forces of the United States of America to the Armed Forces of the Czech Republic during timeframe of the NATO Summit in Prague will strengthen its security significantly,

Recognizing the application of the North Atlantic Treaty of 4 April 1949 and the Agreement between the Parties to the North Atlantic Treaty regarding the Status of Their Forces of 19 June 1951;

Have agreed as follows:

Article 1 Definitions of Terms

For purposes of this Agreement:

- a) "NATO" means the North Atlantic Treaty Organization,
- b) "U.S.DOD" means the United States Department of Defense,
- c) "Czech AF" means the Armed Forces of the Czech Republic,
- d) "DOD assets" means combat aircraft, weapons systems and other equipment used by the U.S.DOD when providing support to the Czech AF,
- e) "DOD personnel" means members of the U.S. armed forces and the civilian component temporarily deployed on the territory of the Czech Republic in relation with this Agreement.

Article 2

Purpose

The purpose of this Agreement is to establish the basic conditions for providing U.S.DOD support to the Czech AF during the timeframe of the NATO Summit.

Article 3

Scope of the U.S.DOD Support

1) Support provided by the U.S.DOD to the Czech AF during timeframe of the NATO Summit will lie with strengthening of the Czech AF's ability to deal with airborne threat on the whole territory of the Czech Republic through the U.S.DOD assets assigned for this purpose and deployed on as well as outside the territory of the Czech Republic.

2) The U.S.DOD assets assigned to support the Czech AF will be under permanent command of the U.S. authorities. Details concerning coordination of the command and control as well as period of providing of support will be agreed between the U.S.DOD personnel and the appropriate authorities of Czech AF.

3) Support under paragraph 1 will be provided by the U.S. DOD without claim to reimbursement from the Czech Republic.

4) The number of the U.S.DOD personnel deployed on the territory of the Czech Republic shall not exceed 250 persons and the duration of their stay shall not exceed November 30, 2002.

Article 4

Use of Force

On the territory of the Czech Republic the U.S.DOD personnel can use force only on the request or with the consent of the responsible representative of the Czech Republic. The right of individual and collective self-defense is not prejudiced by this provision.

Article 5
Status of the U.S.DOD Personnel

1) Except as stipulated below, the Parties confirm that the status of the U.S.DOD personnel will be governed by the provisions of the Agreement between the Parties to the North Atlantic Treaty regarding the Status of Their Forces, concluded in London on 19 June 1951 (NATO SOFA) to which the United States and the Czech Republic are Parties.

2) The Czech Republic waives the right to exercise criminal jurisdiction over the U.S.DOD personnel in relation to the use of force under Article 4.

3) The Czech Republic waives all claims against the United States and all the U.S.DOD personnel in relation to the use of force under Article 4.

Article 6
Protection of Classified Information

Classified information provided between the Parties in accordance with this Agreement will be protected under the provisions of the Security Agreement between the Government of the United States of America and the Government of the Czech Republic concerning Security Measures for the Protection of Classified Military Information, signed in Prague on 19 September 1995.

Article 7
Support Provided by the Czech Party

1) The Czech Party will provide accommodation and messing for the U.S.DOD personnel as well as fuel for the U.S.DOD assets free of charge.

2) Other support provided by the Czech Republic to the U.S.DOD personnel and assets will be governed by the provisions of the Acquisition and Cross-Servicing Agreement (US-CZ-01) between the Ministry of Defense of the United States of America and the Department of Defense of the Czech Republic signed in Prague on 19 November 1996.

Article 8
Implementing Documents

Details of implementation of this Agreement may be determined in implementing documents concluded between the U.S.DOD personnel and appropriate authorities of the Czech AF.

Article 9
Settlement of Disputes

Disputes between the Parties concerning interpretation and implementation of this Agreement will be settled by negotiation of the representatives of the Parties on the lowest practicable level. If the dispute is not settled on this level, it will be submitted to the representatives of the Parties on a higher level.

Article 10
Final Provisions

1) This Agreement shall enter into force on the date of signature and shall remain in force until December 1, 2002.

2) This Agreement may be amended by written agreement of the Parties.

Done in Prague on November 18, 2002, in duplicate, in the English and Czech languages, both texts being equally authentic.

For the Government of
the United States of America

Mark P. Shultz

For the Government of
the Czech Republic

[Signature]

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